

**UNITED STATES DISTRICT COURT
THE DISTRICT OF MASSACHUSETTS**

Civil Action No.:

BARBARA C. ALBERTO,
Plaintiff

v.

PANERA BREAD COMPANY,
Defendant

COMPLAINT

THE PARTIES

1. The plaintiff, Barbara C. Alberto, is a citizen of the United States and resides at 12 Maple Terrace, Plainville, Norfolk County, Massachusetts.
2. The defendant, Panera Bread Company, is a foreign corporation organized under the laws of the State of Delaware and has a principal place of business located at 1400 South Highway, Suite 100, Fenton, MO 63026. It retains as Registered Agent Corporation Service Company, 84 State Street, Boston, Suffolk County, Commonwealth of Massachusetts.

JURISDICTION

3. The plaintiff, Barbara C. Albert, asserts that this Court has jurisdiction for her cause of action pursuant to 28 U.S.C., §1332 on the grounds that there is complete diversity of citizenship and that the plaintiff alleges damages in excess of \$75,000.00, exclusive of interest and costs.

THE FACTS

4. On or about October 18, 2024, the plaintiff, Barbara C. Alberto, was lawfully on the property located at 103 Taunton Street, Plainville, Massachusetts, which said property is owned and/or maintained and/or controlled by the defendant, Panera Bread Company.
5. While the plaintiff, Barbara C. Alberto, was on the property as described above, she was caused to fall and sustain serious and permanent personal injuries.

6. Plaintiff alleges that she suffered damages in excess of \$75,000.00, exclusive of interest and costs.

CAUSE OF ACTION

7. Plaintiff, Barbara C. Alberto, re-states and re-alleges Paragraphs 1 through 6 as if fully set forth herein.

8. At the time and place of the incident which reference is made, the subject premises was owned and/or maintained, and/or controlled, and/or permitted to be in a dangerous and/or defective condition as a result of the negligence of the defendant, its servants, agents, or employees. Said negligence caused and/or substantially contributed to plaintiff's fall and resulting injuries.

9. As a direct and proximate result of the negligence of the defendant, the plaintiff was seriously injured and subsequently hospitalized. Plaintiff suffered severe personal injuries, suffered great pain of body and mind, incurred expenses for medical care and treatment, and the plaintiff's ability to enjoy life and attend to her usual activities has been greatly damaged.

WHEREFORE, the plaintiff demands judgment against the defendant in the amount of her damages, together with interest and costs.

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS.

BARBARA C. ALBERTO
By her attorney,

/s/ Sal J. Germani, Esq.

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